

Application No. 10/537,980
Amendment Dated September 14, 2009
Reply to Office Action of May 12, 2009

REMARKS

This Amendment is submitted in response to the Office Action mailed on May 12, 2009. Claims 52-91 have been amended. While not designated as such in the Office Action Summary, claims 92-108 stand withdrawn pursuant to a restriction requirement raised by Examiner. New claims 109-114 have been included. Claims 52-80, 82-91 and 109-114 remain pending in the present application. In view of the foregoing amendments, as well as the following remarks, Applicant respectfully submits that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Claims 85-90 are objected to under 37 C.F.R. §1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. Applicant removed the multiple dependencies of these claims by rewriting the claims to be dependent on one claim only and expressly incorporating the limitations recited from the other claim.

Claims 56, 57, 59, 60, 64, 65, 67, 75, 78, 79, 83 and 84 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant's amendments more sharply define the claimed ranges or the construction materials, as appropriate.

Claims 52-56, 59-61, 64-66, 68, 69, 72-81 and 91 stand rejected under 35 U.S.C. §102(b) as being anticipated by Klomp, U.S. Patent No. 3,722,074. Claims 57, 58, 62, 63, 70, 71 and 82-84 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Klomp in view of Spaeth, U.S. Patent No. 1,908,649. While Applicant respectfully traverses these rejections, Applicant has amended independent

Application No. 10/537,980
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claim 52 to more sharply define the claimed invention over the prior art of record and respectfully requests that the rejections be withdrawn.

Examiner argues that Klomp teaches a composite body that is "characterized in that the connection is melted onto the first body part ... and the opening of the first body part is closed by the connection." (Office Action, page 4). Applicant respectfully submits that Klomp does not teach the composite body as recited in the amended independent claim 52. More specifically, claim 52 recites, in part:

.. the metallic connection part *is melted onto* an inner surface of the first opening at the first end of the first tubular body part,

the metallic connection part contains aluminium, and

the first opening of the first tubular body part *is closed by* the metallic connection part.

(emphasis added). Throughout the disclosure of Klomp, the temperature of the metal during the sealing procedure is maintained between a sealing temperature that is associated with a vapor tension greater than 10^{-10} Torr and the softening, or *melting*, temperature of the metal. (Klomp Col. 1, Lines 36-50; Col. 1, Lines 58-68; Claim 1). Indeed, Klomp explicitly teaches that the maximum sealing temperature is "below the melting point of the metal." (Id. at Col. 2, Lines 23-25). Accordingly, Klomp cannot "melt" the metallic connection part onto the inner surface of the first tubular body part without heating the metal to at least its melting point. In other words, Klomp cannot teach a composite body having a metallic connection part that is melted onto the first tubular part.

Application No. 10/537,980
Amendment Dated September 14, 2009
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It is for at least these reasons that Applicant respectfully submits that claim independent 52 is allowable as neither anticipated nor rendered obvious by the teachings of Klomp, either alone or in combination with the other prior art of record. Moreover, as claims 53-80, 82-91, and 109-114 depend from the allowable independent claim 52, and further as each of these claims recites a combination of elements not fairly taught or suggested by the references made of record, Applicant submits that these claims are allowable as well.

While the dependent claims are allowable for at least the reason that they depend on an allowable claim 52 over the teachings of Klomp, Applicant will address Examiner's reference to Spaeth. Spaeth teaches a glass tube containing an inert gas that may be excited by an electrical discharge from electrodes at the ends of the glass tube. (Spaeth Page 2, Lines 45-62; Claim 1). Spaeth does not teach a metal connection that is melted onto the inner surface of the first opening of the tubular body. Therefore, Spaeth does not cure the deficiencies in Klomp that were addressed above and cannot be used in combination with Klomp to render obvious any of the pending dependent claims.

Application No. 10/537,980
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CONCLUSION

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Applicant submits herewith the required fee for a one-month extension of time and added claims. Applicant believes that this response requires no other fees, however, if any additional fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

/David H. Brinkman/
David H. Brinkman, Reg. No. 40,532

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
(513) 241-2324 - Voice
(513) 421-7269 - Facsimile